BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana

DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL SERVICES

CERTIFIED MAIL# 7009 2820 0003 4486 4146 MAY 07 2010
RETURN RECEIPT REQUESTED

FILE NUMBER: LA0099473
AI NUMBER: 32219
ACTIVITY NUMBER: PER20090005

River Birch, Inc.
River Birch Landfill
P.O. Box 1938
Gretna, LA 70054

Attention: A.J. Ward, Jr., President

Subject: Draft Louisiana Pollutant Discharge Elimination System (LPDES) permit to discharge treated leachate, treated contact stormwater from active disposal areas, pore water, treated truck wash water, treated sanitary wastewater, and non-contact stormwater into Sauls Canal, thence into Waggaman Canal, thence into Lake Cataouatche from a non-hazardous solid waste landfill serving parishes in southeast Louisiana.

Dear Mr. Ward:

The Department of Environmental Quality proposes to reissue an LPDES permit with the effluent limitations, monitoring requirements, and special conditions listed in the attached DRAFT PERMIT. Please note that this is a DRAFT PERMIT only and as such does not grant any authorization to discharge. Authorization to discharge in accordance with this permitting action will only be granted after all requirements described herein are satisfied and by the subsequent issuance of a FINAL PERMIT. Upon issuance, the LPDES permit shall replace the previously issued LPDES permit.

This Office will publish a public notice one time in the local newspaper of general circulation, and in the Department of Environmental Quality Public Notice Mailing List. A copy of the public notice containing the specific requirements for commenting to this draft permit action will be sent under separate cover at the time the public notice is arranged. In accordance with LAC 33:IX.6521.A, the applicant shall receive and is responsible for paying the invoice(s) from the newspaper(s). LAC 33:IX.6521 states, "...The costs of publication shall be borne by the applicant."

The invoice, fee rating worksheet, and a copy of the fee regulations will be sent under a separate cover letter as applicable. Please note that a copy of the fee rating worksheet is also attached to this draft permit. We must receive your fee payment by check, money order, or draft accompanied by the original and a copy of your invoice. A copy of the entire Louisiana Water Quality Regulations (Volume 14) may be obtained from the LDEQ Office of Environmental Assessment, Post Office Box 4314, Baton Rouge, Louisiana 70821-4314, (225) 219-3236.

Pursuant to LAC 33.IX.1309.I, LAC 33.IX.6509.A.1 and LAC 33.I.1701, you must pay any outstanding fees to the Department. Therefore, you are encouraged to verify your facility's fee status by contacting LDEQ's Office of Management and Finance, Financial Services Division at (225) 219-3863. Failure to pay in the manner and time prescribed could result in applicable enforcement actions as prescribed in the Environmental Quality Act, including, but not limited to revocation or suspension of the applicable permit, and/or assessment of a civil penalty against you.

Should you have any questions concerning any part of the DRAFT PERMIT, public notice requirements, or fees, please contact Mrs. Angela Marse, Office of Environmental Services, Water Permits Division, Municipal and General Water Permits Section at the address on the preceding page or telephone (225) 219-3079. Please reference your Agency Interest Number **32219** and your Louisiana Pollutant Discharge Elimination System Number **LA0099473** on all future correspondence to the Department.

Sincerely,

Tom Killeen, Environmental Scientist Manager
Municipal and General Water Permits Section

am

Attachments (Draft Permit Parts I-III, Statement of Basis, and Fee Sheet)

cc: IO-W

Angela Marse
Water Permits Division

ec: Ms. Gayle Denino
Office of Management & Finance

Permit Compliance Unit
Office of Environmental Compliance

For Public Notice
Public Participation Group
Office of Environmental Assistance

Public Health Chief Engineer
Office of Public Health
Department of Health and Hospitals

Todd Franklin
Water Permits Division

DRAFT

PERMIT NUMBER: LA0099473
AGENCY INTEREST NO.: 32219
ACTIVITY NO.: PER20090005

DEQ
LOUISIANA

OFFICE OF ENVIRONMENTAL SERVICES

Water Discharge Permit

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

River Birch, Inc.
River Birch Landfill
P.O. Box 1938
Gretna, LA 70054

Type Facility: non-hazardous solid waste landfill serving parishes in southeast Louisiana

Location: the east side of Kenner Road, 1/2 mile north of its intersection with US Hwy. 90 in Waggaman, Jefferson Parish

Receiving Waters: Sauls Canal, thence into Waggaman Canal, thence into Lake Cataouatche (Subsegment 020501)

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto.

This permit shall become effective on

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

Issued on

Cheryl Sonnier Nolan
Assistant Secretary

DRAFT

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date of the permit and lasting through the expiration date of the permit the permittee is authorized to discharge from:

Outfall 001, treated leachate and contact stormwater from active areas of the landfill, pore water, and treated truck wash water, discharge pipe from the aeration holding pond located near the northeast corner of the landfill Latitude 29°56'23", Longitude 90°14'57"(expected flow is 0.21MGD).

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic		Discharge Limitations (lbs/day)		Discharge Limitations other units (specify)		Monitoring Requirements	
	Storet Code	Monthly Avg.	Weekly Avg.	Monthly Avg.	Daily Max.	Measurement Frequency	Sample Type
Flow-MGD	50050	Report	Report	---	---	Continuous	Recorder[1]
BOD_5	00310	---	---	30 mg/l	45 mg/l	1/month	Grab
TSS	00530	---	---	27 mg/l	45 mg/l	1/month	Grab
Ammonia-Nitrogen	00610	---	---	4.9 mg/l	10 mg/l	1/month	Grab
Oil and grease	03582	---	---	---	15 mg/l	1/month	Grab
Sulfates	01007	---	---	---	250 mg/l	1/month	Grab
Chlorides	01002	---	---	---	631 mg/l	1/month	Grab
TDS	010027	---	---	---	Report mg/l	1/month	Grab
Fecal Coliform colonies/100ml[2]	74055	---	---	200	400	1/month	Grab
Pollutant Scan [7]	57168	---	---	---	Report ug/l	1/quarter[8]	24-hr.composite
pH (Standard Units)[3]	00400	---	---	---	---	1/month	Grab
Alpha Terpineol	51045	---		0.016 mg/l	0.033 mg/l	1/Quarter	24-hr.composite
Benzoic Acid	77247	---		0.071 mg/l	0.12 mg/l	1/Quarter	24-hr. composite
p-Cresol	77146	---		0.014 mg/l	0.025 mg/l	1/Quarter	24-hr. composite
Zinc	01092	---		0.11 mg/l	0.20 mg/l	1/Quarter	24-hr. composite
Phenol	34694	---		0.015 mg/l	0.026 mg/l	1/Quarter	24-hr. composite

QUALITY (PERCENT% UNLESS STATED)

	30-Day Avg. Min.	7-Day Min.	Measurement Frequency	Sample Type
Biomonitoring[4]				
Ceriodaphnia dubia				
STORET TLP3B	Report[5]	Report[5]	1/Quarter	24-hr. composite
STORET TOP3B	Report	Report	1/Quarter	24-hr. composite
STORET TPP3B	Report	Report	1/Quarter	24-hr. composite
STORET TGP3B	Report[5]	Report[5]	1/Quarter	24-hr. composite
STORET TQP3B	Report	Report	1/Quarter	24-hr.composite
Pimephales promelas				
STORET TLP6C	Report[5]	Report[5]	1/Quarter	24-hr. composite
STORET TOP6C	Report	Report	1/Quarter	24-hr. composite
STORET TPP6C	Report	Report	1/Quarter	24-hr. composite
STORET TGP6C	Report[5]	Report[5]	1/Quarter	24-hr. composite
STORET TQP6C	Report	Report	1/Quarter	24-hr. composite

If a test failure has occurred and the required retests have been performed, the test results are to be reported on the DMR as follows:

Whole Effluent Toxicity Testing

Biomonitoring[4]	Storet Code	Monthly Avg. Minimum	7-Day Minimum	Measurement Frequency	Sample Type
Retest #1	22415	Report[5]	Report[5]	As Required[6]	24-Hr Composite
	22418	Report[5]	Report[5]	As Required[6]	24-Hr Composite
Retest #2	22416	Report[5]	Report[5]	As Required[6]	24-Hr Composite
	22419	Report[5]	Report[5]	As Required[6]	24-Hr Composite
Retest #3	51443	Report[5]	Report[5]	As Required[6]	24-Hr Composite
	51444	Report[5]	Report[5]	As Required[6]	24-Hr Composite

[1] Includes totalizer or totalizing meter.

[2] See Part II, Paragraph 7.

[3] The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

[4] See Part II, Section E. Whole Effluent Toxicity.

[5] Species Quality Reporting Units: Pass = 0, Fail = 1.

[6] Monthly Testing Required only if routine test for reporting period (for either species) fails.

[7] See Part II, Section B. Priority Pollutant Scan.

[8] See Part II, Section A, Paragraph 9.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 001, at the point of discharge from the last treatment unit prior to mixing with other waters.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date of the permit and lasting through the expiration date of the permit the permittee is authorized to discharge from:

Outfall 002, treated sanitary wastewater, located by the entrance to the landfill in the southeast corner of the site at Latitude 29°55'38", Longitude 90°16'02", (expected flow is 0.0015 MGD).

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic		Discharge Limitations (lbs/day)	Discharge Limitations other units (specify)		Monitoring Requirements	
	Storet Code	Monthly Avg.	Monthly Avg.	Daily Max.	Measurement Frequency[1]	Sample Type
Flow-MGD	50050	---	Report	Report	Daily	Estimate
BOD	00310	---	---	45 mg/l	1/month	Grab
TSS	00530	---	---	45 mg/l	1/month	Grab
Fecal coliform col/100ml[3]	74055	---	---	400	1/month	Grab
pH (Standard Units)[2]	00400	---	---	---	1/month	Grab

[1] When discharging.

[2] The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

[3] See Part II, Section A, Paragraph 7.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 002 at the point of discharge prior to mixing with other waters.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date of the permit and lasting through the expiration date of the permit, the permittee is authorized to discharge from:

Outfall 003, non-contact stormwater, located along the eastern side of the landfill at Latitude 29°55'57", Longitude 90°15"28", (expected flow is 2 MGD).
Outfall 004, non-contact stormwater, located along the northern side of the landfill at Latitude 29°56'32", Longitude 90°15"02", (expected flow is 2 MGD).
Outfall 005, non-contact stormwater, located near the northeastern corner of the landfill at Latitude 29°56'16", Longitude 90°15"02", (expected flow is 2 MGD).

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic		**Discharge Limitations** (lbs/day)	**Discharge Limitations** other units (specify)		**Monitoring Requirements**	
	Storet Code	Monthly Avg.	Monthly Avg.	Daily Max.	Measurement Frequency[1]	Sample Type
Flow-MGD	50050	---	Report	Report	Monthly	Estimate
TOC	00680	---	---	50 mg/l	1/month	Grab
Oil and grease	03582	---	---	15 mg/l	1/month	Grab
Chlorides[3]	01002	---	---	631 mg/l	1/month	Grab
pH (Standard Units)[2]	00400	---	---	---	1/month	Grab

[1] When discharging.

[2] The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

[3] Chlorides monitoring is required for the duration of the study/authorization allowing River Birch Landfill to accept E&P waste. If River Birch Landfill stops accepting E&P waste or the study is terminated, the chlorides limit is no longer applicable and monitoring is not required at these outfalls. See Part II, Section A, Paragraph 9.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 003, 004, and 005, at the point of discharge prior to mixing with other waters.

PART II

OTHER REQUIREMENTS

In addition to the standard conditions required in all permits and listed in Part III, the office has established the following additional requirements in accordance with the Louisiana Water Quality Regulations.

SECTION A. GENERAL STATEMENTS

1. The Louisiana Department of Environmental Quality (LDEQ) reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's. The LDEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

   In accordance with LAC 33:IX.2903., this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

   a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

   b) Controls any pollutant not limited in the permit; or

   c) Requires reassessment due to change in 303(d) status of waterbody; or

   d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

2. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit.

3. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.

4. For definitions of monitoring and sampling terminology see Part III, Section F.

5. 24-hour Oral Reporting: Daily Maximum Limitation Violations

   Under the provisions of Part III Section D.6.e.(3) of this permit, violations of daily maximum limitations or threshold limitations for the following pollutants shall be reported orally to the Office of Environmental Compliance within 24 hours from the time the permittee became aware of the violation followed by a written report in five days.

   Pollutants: Phenol, p-Cresol, Zinc, Alpha-terpineol, Benzoic acid, priority pollutants listed in Part II, Section B.

6. The permittee shall achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule:

   EFFECTIVE DATE OF THE PERMIT

OTHER REQUIREMENTS (cont.)

7. Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the permittee is hereby advised that a future Total Residual Chlorine Limit may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit. If such a limit were imposed, the permittee would be required to provide for dechlorination of the effluent prior to a discharge.

8. DISCHARGE MONITORING REPORTS

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). All monitoring reports must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit.

If there is a no discharge event at any of the monitored outfall(s) during the reporting period, enter "No Discharge" in the upper right corner of the Discharge Monitoring Report.

Discharge Monitoring Report (DMR) forms shall be prepared and submitted for each outfall per the instructions and submission schedules below:

A. For monitoring frequencies once per month or more often (i.e. 1/week, 1/day, 1/batch, 1/discharge event), one DMR form per month (summarize monitoring results monthly) must be prepared and submitted quarterly.

B. For once per quarter monitoring frequencies, one DMR form per quarter must be prepared and submitted quarterly.

C. For once per 6 months monitoring frequencies, one DMR form per six month period must be prepared and submitted semi-annually.

D. For once per year monitoring frequencies, one DMR form per year must be submitted annually.

Quarterly Submission Schedule

Monitoring Period	DMR Postmark Date
January, February, March	April 28th
April, May, June	July 28th
July, August, September	October 28th
October, November, December	January 28th

Semiannual Submission Schedule

Monitoring Period	DMR Postmark Date
January – June	July 28th
July – December	January 28th

Annual Submission Schedule

Monitoring Period	DMR Postmark Date
January-December	January 28th

OTHER REQUIREMENTS (cont.)

If not electronically submitted, duplicate copies of DMRs (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2503, and all other reports (one set of originals) required by this permit shall be submitted to the Permit Compliance Unit (one set of copies) at the following address:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Permit Compliance Unit

9. An Administrative Order (AO) was issued to River Birch Landfill on July 1, 2009. The AO authorized the acceptance of non-hazardous exploration and production wastes (crude oil spill clean-up and drilling waste defined as mud, fluids, and cuttings) for disposal in the landfill as part of an eighteen month study. For accepting the waste additional sampling requirements were established for River Birch Landfill by the AO. The additional requirements include increased monitoring for priority pollutants at outfall 001 and an effluent limitation for chlorides at outfalls 003, 004 and 005. The AO requirements are included in this permit. If the permittee chooses to discontinue acceptance of non-hazardous exploration and production wastes or the study is terminated, the permittee shall notify the Department that non-hazardous oilfield exploration and production waste are no longer accepted at the facility. The chloride limit and monitoring requirements at outfalls 003, 004 and 005 shall not be applicable and priority pollutant monitoring shall return to once per year. If the study is continued, River Birch Landfill shall continue the monitoring of chlorides at outfalls 003, 004, and 005 and increased monitoring of priority pollutants at outfall 001.

OTHER REQUIREMENTS (cont.)

SECTION B. POLLUTANT SCAN

This Office has established a list of priority pollutants with threshold values intended as action levels. **Should a substance exceed the level of the established value in Part II, Section B.3., the permittee shall notify the Office of Environmental Services of the exceedance, in writing, within five (5) days. At this time River Birch Landfill shall institute a study to determine the source of the exceedance. Within sixty (60) days of the written notification the permittee shall submit a written account of the nature of the study, and measures being taken to secure abatement. Failure to comply with any provision of this paragraph shall constitute a violation of this permit.** The Department reserves the right to establish effluent limitations for any of the parameters listed below based upon the results of submitted analyses.

1. 40 CFR Part 136 Analytical Requirements

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136 in effect on the effective date of this permit. Appendices A, B, and C to Part 136 are specifically referenced as part of this requirement. Amendments to 40 CFR Part 136 promulgated after the effective date of this permit shall supersede these requirements as applicable. The permittee may use other EPA approved test methods that provide more sensitive test results than those referenced in the permit.

2. Analytical Levels

If any individual analytical test result is less than the analytical level listed below, a value of zero (0) may be used as the test result for those parameters for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

3. Priority Pollutant List

Chemical	Threshold Value ug/l	Analytical Level Required ug/l
METALS		
Antimony	600	60
Arsenic	100	10
Beryllium	100	5
Cadmium	18	1
Chromium III	100	10
Chromium VI	16	10
Copper	100	10
Cyanide	12	20
Lead	116	5
Mercury	0.167	0.2
Nickel (Freshwater)	500	40
Selenium	100	5
Silver	100	2
Thallium	100	10
Total Phenols	50	5

OTHER REQUIREMENTS (cont.)

Chemical	Threshold Value ug/l	Analytical Level Required ug/l
Acrolein	100	50
Acrylonitrile	100	50
Benzene	100	10
Bromodichloromethane	32	10
Bromoform	100	10
Carbon Tetrachloride	12	10
Chlorobenzene	100	50
Chloroethane	100	10
2-Chloroethyl vinyl ether	100	50
Chloroform	100	10
Dibromochloromethane	49	10
1,1-Dichloroethane	100	10
1,2-Dichloroethane	66	10
1,1-Dichloroethylene {1,1-dichloroethene}	6	10
1,2-Dichloropropane	100	10
1,3-Dichloropropene {1,3-Dichloropropylene}	100	10
Ethylbenzene	100	10
Methyl Bromide {Bromomethane}	100	50
Methyl Chloride {Chloromethane}	100	50
Methylene Chloride	100	20
1,1,2,2-Tetra-chloroethane	17	10
Tetrachloroethylene	24	10
Toluene	100	10
1,2-trans-Dichloroethylene {1,2-dichloroethene}	100	10
1,1,1-Trichloroethane	100	10
1,1,2-Trichloroethane	67	10
Trichloroethylene {Trichloroethene}	100	10
Vinyl Chloride	100	10
ACID COMPOUNDS		
2-Chlorophenol {o-Chlorophenol}	100	10
2,4-Dichlorophenol	100	10
2,4-Dimethylphenol	100	10
2,4-Dinitrophenol	100	50
4,6-Dinitro-o-Cresol {4,6-Dinitro-o-phenol} {4,6-Dinitro-2-methyl phenol}	100	50

OTHER REQUIREMENTS (cont.)

Chemical	Threshold Value ug/l	Analytical Level Required ug/l
2-Nitrophenol	100	20
4-Nitrophenol	100	50
P-Chloro-M-Cresol	100	10
Pentachlorophenol	100	50
2,4,6-Trichlorophenol	100	10
PESTICIDES		
Aldrin	0.004	0.05
Chlordane	0.0018	0.2
DDD	0.003	0.1
DDE	0.0018	0.1
DDT	0.0022	0.1
Dieldrin	0.005	0.1
Endosulfan-α	0.12*	0.1
Endosulfan-β	0.12*	0.1
Total Endosulfan	0.24	0.1
Endosulfan sulfate	10	0.1
Endrin	0.08	0.1
Endrin aldehyde	10	0.1
Heptachlor	0.007	0.05
Heptachlor Epoxide	10	0.05
Hexachlorocyclohexane-α (BHC-α)	10	0.05
Hexachlorocyclohexane-β (BHC-β)	10	0.05
Hexachlorocyclohexane-δ (BHC-δ)	10	0.05
Hexachlorocyclohexane-γ (Lindane)	0.45	0.05
Total PCBs	No discharge	
Toxaphene	0.0004	5.0
BASE/NEUTRAL COMPOUNDS		
Acenaphthene	100	10
Acenapthylene	100	10
Anthracene	100	10
Benzidene	0.0016	50
Benzo(a)anthracene	100	10
3,4-Benzofluoranthene {Benzo(b)fluoranthene}	100	10
Benzo(k)fluoranthene	100	10
Benzo(a)pyrene	100	10
Benzo(ghi)perylene	100	20
Benzyl butyl Phthalate {Butyl benzyl Phthalate}	100	10

OTHER REQUIREMENTS (cont.)

Chemical	Threshold Value ug/l	Analytical Level Required ug/l
Bis(2-chloroethyl) ether	100	10
Bis(2-chloroethoxy) methane	100	10
Bis(2-ethylhexyl) Phthalate	100	10
Bis(2-chloroisopropyl) ether	100	10
4-Bromophenyl phenyl ether	100	10
2-Chloronaphthalene	100	10
4-Chlorophenyl phenyl ether	100	10
Chrysene	100	10
Dibenzo (a,h) anthracene	100	20
Di-n-Butyl Phthalate	100	10
1,2-Dichlorobenzene	100	10
1,3-Dichlorobenzene	100	10
1,4-Dichlorobenzene {p-Dichlorobenzene}	100	10
3,3-Dichlorobenzidine	100	50
Diethyl Phthalate	100	10
Dimethyl Phthalate	100	10
2,4-Dinitrotoluene	100	10
2,6-Dinitrotoluene	100	10
Di-n-octyl Phthalate	100	10
1,2-Diphenylhydrazine	100	20
Fluoranthene	100	10
Fluorene	100	10
Hexachlorobenzene	0.002	10
Hexachlorobutadiene	1.07	10
Hexachlorocyclopentadiene	100	10
Hexachloroethane	100	20
Ideno (1,2,3-cd) pyrene	100	20
Isophorone	100	10
Naphthalene	100	10
Nitrobenzene	100	10
N-nitrosodimethylamine	100	50
N-nitrosodiphenylamine	100	20
N-nitrosodi-n-propylamine	100	20
Phenanthrene	100	10
Pyrene	100	10
1,2,4-Trichlorobenzene	100	10

5. Effluent Specific Analytical Levels

The permittee may develop an effluent specific method detection limit (MDL) in accordance with Appendix B to 40 CFR Part 136. For any pollutant for which the permittee determines an effluent specific MDL, the permittee shall send the Department of Environmental Quality a

OTHER REQUIREMENTS (cont.)

report containing the QA/QC documentation, analytical results, and calculations necessary to demonstrate that the effluent MDL was correctly calculated. An effluent specific MQL shall be determined in accordance with the following calculation:

$$MQL = 3.3 \times MDL$$

Upon written approval from DEQ, the effluent specific MQL may be utilized by the permittee for all future Discharge Monitoring Report (DMR) calculations and reporting requirements.

OTHER REQUIREMENTS (cont.)

SECTION C. STORMWATER DISCHARGES

A. This section applies to all stormwater discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow.

B. Any runoff leaving the developed areas of the facility, other than the permitted outfall(s), exceeding 50 mg/L TOC, 15 mg/L Oil and Grease, or having a pH less than 6.0 or greater than 9.0 standard units shall be a violation of this permit. Any discharge in excess of these limitations, which is attributable to offsite contamination shall not be considered a violation of this permit. A visual inspection of the facility shall be conducted and a report made annually as described in Paragraph 4 below.

C. The permittee shall prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. The terms and conditions of the SWP3 shall be an enforceable Part of the permit. EPA document 833-R-92-002 (Storm Water Management for Industrial Activities) may be used as a guidance and may be obtained by writing to the U.S. Environmental Protection Agency, Office of Water Resources (RC-4100), 401 M Street, S.W., Washington D.C. 20460 or by calling (202) 260-7786.

D. The following conditions are applicable to all facilities and shall be included in the SWP3 for the facility.

1. The permittee shall conduct an annual inspection of the facility site to identify areas contributing to the storm water discharge from developed areas of the facility and evaluate whether measures to reduce pollutant loadings identified in the SWP3 are adequate and have been properly implemented in accordance with the terms of the permit or whether additional control measures are needed.

2. The permittee shall develop a site map which includes all areas where stormwater may contact potential pollutants or substances which can cause pollution. Any location where reportable quantities leaks or spills have previously occurred are to be documented in the SWP3. The SWP3 shall contain a description of the potential pollutant sources, including, the type and quantity of material present and what action has been taken to assure stormwater precipitation will not directly contact the substances and result in contaminated runoff.

3. Where experience indicates a reasonable potential for equipment failure (e.g. a tank overflow or leakage), natural condition of (e.g. precipitation), or other circumstances which result in significant amounts of pollutants reaching surface waters, the SWP3 should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

4. The permittee shall maintain for a period of three years a record summarizing the results of the inspection and a certification that the facility is in compliance with the SWP3 and the permit, and identifying any incidents of noncompliance. The summary report should contain, at a minimum, the date and time of inspection, name of inspector(s), conditions found, and changes to be made to the SWP3.

OTHER REQUIREMENTS (cont.)

5. The summary report and the following certification shall be signed in accordance with LAC 33:IX.2503. The summary report is to be attached to the SWP3 and provided to the Department upon request.

   "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

   Signatory requirements for the certification may be found in Part III, Section D.10 of this permit.

6. The permittee shall make available to the Department, upon request, a copy of the SWP3 and any supporting documentation.

E. The following shall be included in the SWP3, if applicable.

1. The permittee shall utilize all reasonable methods to minimize any adverse impact on the drainage system including but not limited to:

   a) maintaining adequate roads and driveway surfaces;
   b) removing debris and accumulated solids from the drainage system; and
   c) cleaning up immediately any spill by sweeping, absorbent pads, or other appropriate methods.

2. All spilled product and other spilled wastes shall be immediately cleaned up and disposed of according to all applicable regulations, Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where necessary to comply with State or Federal safety regulations (i.e., requirement for non-slippery work surface). In all such cases, initial cleanup shall be done by physical removal and chemical usage shall be minimized.

3. All waste fuel, lubricants, coolants, solvents, or other fluids used in the repair or maintenance of vehicles or equipment shall be recycled or contained for proper disposal. Spills of these materials are to be cleaned up by dry means whenever possible.

4. All equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, or other materials exposed to stormwater shall be maintained in a manner which prevents contamination of stormwater by pollutants.

5. All storage tank installations (with a capacity greater than 660 gallons for an individual container, or 1,320 gallons for two or more containers in aggregate within a common storage area) shall be constructed so that a secondary means of containment is provided

OTHER REQUIREMENTS (cont.)

for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills.

6. All diked areas surrounding storage tanks or stormwater collection basins shall be free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked area. All drains from diked areas shall be equipped with valves which shall be kept in the closed condition except during periods of supervised discharge.

7. All check valves, tanks, drains, or other potential sources of pollutant releases shall be inspected and maintained on a regular basis to assure their proper operation and to prevent the discharge of pollutants.

8. The permittee shall assure compliance with all applicable regulations promulgated under the Louisiana Solid Waste and Resource Recovery Law and the Hazardous Waste Management Law (L.R.S. 30:2151, etc.). Management practices required under above regulations shall be referenced in the SWP3.

9. The permittee shall amend the SWP3 whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.

10. If the SWP3 proves to be ineffective in achieving the general objectives of preventing the release of significant amounts of pollutants to water of the state, then the specific objectives and requirements of the SWP3 shall be subject to modification to incorporate revised SWP3 requirements.

F. Facility specific SWP3 Conditions:

1. **Drainage Area Site Map.** Identify locations of the following activities where such activities are exposed to precipitation / runoff: active and closed landfill cells or trenches, active and closed land application areas, locations where open dumping is occurring or has occurred, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, leachate collection and handling systems.

2. **Summary of Potential Pollutant Sources.** A narrative description of the potential pollutant associated with any of the following: fertilizer, herbicide and pesticide application; earth/soil moving; waste hauling and loading/unloading; outdoor storage of significant materials including daily, interim and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; failure or leaks from leachate collection and treatment systems

3. **Good Housekeeping Measures.** As part of your good housekeeping program, consider providing protected materials storage areas for pesticides, herbicides, fertilizer, and other significant materials.

4. **Preventative Maintenance Program.** This program must also maintain: 1) containers used for outdoor chemical and significant materials storage to prevent leaking or rupture; 2) all elements of leachate collection and treatment systems to

OTHER REQUIREMENTS (cont.)

prevent commingling of leachate with storm water; 3) the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary to minimize the effects of settlement, sinking and erosion).

5. **Inspections of Active Sites:** for operating landfills, open dumps, and land application sites, inspections must be conducted at least once every 7 days. Qualified personnel must inspect areas of landfills that have not yet been finally stabilized, active land application areas, areas used for storage of material / wastes that are exposed to precipitation, stabilization and structural control measures, leachate collection and treatment systems, and locations where equipment and waste trucks enter and exit the site. Ensure that sediment and erosion control measures are operating properly. For stabilized sites and areas where land application has been completed, conduct inspections at least once every month.

6. **Sediment and Erosion Control Plan**: Provide temporary stabilization (e.g., consider temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles): for materials stockpiled for daily, intermediate and final cover; inactive areas of the landfill or open dump; any landfill or open dump area that has received a final cover until vegetation has established itself; and where waste application has been completed at land application sites but final vegetation has not yet been established.

7. Include plans for the possibility for and control of the upward and lateral seepage of leachate. As a part of the plans, a method of prediction (estimation) of the direction of flow, rate of flow, and total quantity of storm water being contaminated by toxic pollutants reaching the surface through the process of seepage.

8. Include an outline plan of action to address pollutants which exceed the threshold criteria of the priority pollutants (Part II, Section B. 3.).

OTHER REQUIREMENTS (cont.)

SECTION D. DISPOSAL OF SEWAGE SLUDGE IN LANDFILLS

1. Definitions

   a. Domestic Septage – the liquid and solid material pumped from a septic tank, cesspool, portable toilet, Type III marine sanitation device, any similar domestic sewage treatment system, or a holding tank when the system is cleaned or maintained that receives only domestic sewage.

   b. Domestic Sewage – waste and wastewater from humans or household operations that are discharged to or otherwise enter a treatment works.

   c. Sewage Sludge – any solid, semi-solid or liquid residue removed during the treatment of municipal wastewater or domestic sewage including but not limited to, solids removed during primary, secondary, or advanced wastewater treatment, scum, septage, portable toilet pumpings, Type III marine sanitation device pumpings, and sewage sludge products. Sewage sludge does not include grit or screenings, or ash generated during the incineration of sewage sludge.

2. Any hauler disposing of hauled sewage sludge into the landfill must be properly registered by the Louisiana Department of Environmental Quality (LDEQ) to haul sewage sludge. The receipt of hauled sewage sludge from an unauthorized/unregistered hauler shall constitute a violation of this permit.

3. Reporting and record keeping requirements.

   a. Septage Hauler Manifest System

   The permittee shall develop and implement a septage hauler manifest system. The manifest system shall be the primary mechanism by which the landfill will identify the quantity and quality of wastes being discharged into the landfill. The manifest system also provides a means to ensure only authorized wastes are being introduced into the landfill. The manifest system shall require the waste hauler to complete an entry for each load picked up for disposal in the landfill. The manifest form shall include at minimum the following information:

   i. Name, address and phone number of the hauler.
   ii. Hauler Vehicle number.
   iii. LDEQ registration number.
   iv. Driver name.
   v. Generator Information (where the septage was picked up from) including:
      1. Address of the generator.
      2. Name of generator (business name) if not an individual residence.
      3. Date the waste was pumped.
      4. Volume pumped by the hauler.
      5. Type of waste pumped (septage, portable toilet, etc...).
   vi. A statement to be signed by the hauler certifying:
      1. The manifest was prepared by him or under his direct supervision;
      2. The information contained in the manifest is to the best of his knowledge complete and true;
      3. The vehicle load contains only those wastes authorized by the landfill;

OTHER REQUIREMENTS (cont.)

4. The vehicle load does not contain hazardous wastes as defined at 40 CFR Part 261; and
5. That the hauler is aware of penalties for submititting false information.

The certification shall be followed by the Printed Name, Signature and Date of Signature of the hauler.

vii. Name of disposal facility.

viii. The landfill shall supply blank manifest forms to each hauler.

ix. A copy of the completed, signed and dated manifest form shall be supplied to the hauler upon disposal of the wastes into the landfill. Duplicate forms are permissible.

Manifests shall be maintained by the landfill and shall be made available upon request by duly authorized regional inspectors and/or Department Headquarters representatives.

b. Reporting to the Department.

The Sewage Sludge and Biosolids Use or Disposal Reporting Form for Receivers of Sewage Sludge From Outside Sources (Form 7254) shall be submitted annually to the Department no later than February 19th of each calendar year. This information will be utilized to provide QA/QC in the annual licensing of septage haulers. This information shall be submitted to:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Permit Compliance Unit

An example reporting form can be found at
http://www.deq.louisiana.gov/portal/tabid/2296/Default.aspx.

4. The acceptance of hauled sewage sludge into an on-site oxidation pond or treatment facility is prohibited unless otherwise authorized by this Department. Approval by the Department may require a modification of this permit and coverage under a Sewage Sludge Use and Disposal Permit.

OTHER REQUIREMENTS (cont.)

SECITON E. WHOLE EFFLUENT TOXICITY TESTING (7-DAY CHRONIC NOEC: FRESHWATER)

It is unlawful and a violation of this permit for a permittee or the designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by the Louisiana Department of Environmental Quality.

1. SCOPE AND METHODOLOGY

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO OUTFALL(S):	**001**
CRITICAL DILUTION:	**76%**
EFFLUENT DILUTION SERIES:	**24%, 32%, 43%, 57%, and 76%**
SAMPLE TYPE:	**24-Hour Composite**
TEST SPECIES/METHODS:	**40 CFR Part 136**

Ceriodaphnia dubia chronic static renewal survival and reproduction test, Method 1002.0, EPA-821-R-02-013, or the most recent update thereof. This test should be terminated when 60% of the surviving females in the control produce three broods or at the end of eight days, whichever comes first.

Pimephales promelas (Fathead minnow) chronic static renewal 7-day larval survival and growth test, Method 1000.0, EPA-821-R-02-013, or the most recent update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

b. The survival NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. The NOEC for growth or reproduction is defined as the greatest effluent dilution at and below which sub-lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur.

c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

d. Lethal test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution. Sub-lethal test failure is defined as a demonstration of a statistically significant sub-lethal effect (i.e., growth or reproduction) at test completion to a test species at or below the critical dilution.

OTHER REQUIREMENTS (cont.)

2. PERSISTENT LETHAL and/or SUB-LETHAL EFFECTS

The requirements of this section apply only when a toxicity test demonstrates significant lethal and/or sub-lethal effects at or below the critical dilution.

If any valid test demonstrates significant lethal or sub-lethal effects to a test species at or below the critical dilution, the frequency of testing for that species is automatically increased to once per quarter for the term of the permit.

a. The permittee shall conduct a total of three (3) additional tests for any species that demonstrates statistically significant lethal or sub-lethal toxic effects at the critical dilution or lower effluent dilutions. The additional tests shall be conducted monthly during the next three consecutive months in which a discharge occurs to determine if toxicity is persistent or occurs on a periodic basis. The purpose of this testing is to determine whether toxicity is present at a level and frequency that will provide toxic sample results to use in performing a Toxicity Reduction Evaluation (TRE). If no additional test failures occur during the retest monitoring period, the testing frequency will be once per quarter for the term of the permit or until another test failure occurs. The permittee may substitute one of the additional tests in lieu of one routine toxicity test. A full report shall be prepared for each test required by this section in accordance with procedures outlined in item 4 of this section and submitted with the period discharge monitoring report (DMR) to the permitting authority for review.

b. IF LETHAL EFFECTS HAVE BEEN DEMONSTRATED: If any of the valid additional tests demonstrates significant lethal effects at or below the critical dilution, the permittee shall initiate Toxicity Reduction Evaluation (TRE) requirements as specified in item 6 of this section. The permittee shall notify the Department of Environmental Quality, Office of Environmental Compliance - Permit Compliance Unit in writing within 5 days of the failure of any retest, and the TRE initiation date will be the test completion date of the first failed retest. A TRE may also be required due to a demonstration of intermittent lethal effects at or below the critical dilution, or for failure to perform the required retests.

c. IF ONLY SUB-LETHAL EFFECTS HAVE BEEN DEMONSTRATED: If any two of the three valid additional tests demonstrate significant sub-lethal effects at 75% effluent dilution or lower, the permittee shall initiate the Toxicity Reduction Evaluation (TRE) requirements (emphasizing investigations pertaining to sub-lethal toxicity) as specified in Item 6 of this section. The permittee shall notify the Department of Environmental Quality, Office of Environmental Compliance - Permit Compliance Unit in writing within 5 days of the failure of any retest, and the TRE initiation date will be the test completion date of the second failed retest. A TRE concentrating on sub-lethal effects may also be required for failure to perform the required tests.

d. The provisions of item 2.a are suspended upon submittal of the **TRE Action Plan**.

OTHER REQUIREMENTS (cont.)

3. REQUIRED TOXICITY TESTING CONDITIONS

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

i. The toxicity test control (0% effluent) must have survival equal to or greater than 80%.

ii. The mean number of Ceriodaphnia dubia neonates produced per surviving female in the control (0% effluent) must be 15 or more.

iii. 60% of the surviving control females must produce three broods.

iv. The mean dry weight of surviving Fathead minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.25 mg per larva or greater.

v. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: the young of surviving females in the Ceriodaphnia dubia reproduction test; the growth and survival endpoints of the Fathead minnow test.

vi. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal or nonlethal effects are exhibited for: the young of surviving females in the Ceriodaphnia dubia reproduction test; the growth and survival endpoints of the Fathead minnow test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

i. For the Ceriodaphnia dubia survival test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be Fisher's Exact Test as described in EPA-821-R-02-013, or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 3.a above and the percent survival of the test organism is equal to or greater than 80% in the critical dilution and all lower dilution concentrations, the test shall be considered to be a passing test, and the permittee shall report a survival NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 4 below.

ii. For the Ceriodaphnia dubia reproduction test and the Fathead minnow larval survival and growth test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA-821-R-02-013, or the most recent update thereof.

OTHER REQUIREMENTS (cont.)

c. Dilution Water

i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness and alkalinity to the closest downstream perennial water for;

A. toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

B. toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

A. a synthetic dilution water control which fulfills the test acceptance requirements of item 3.a was run concurrently with the receiving water control;

B. the test indicating receiving water toxicity has been carried out to completion (i.e., 7 days);

C. the permittee includes all test results indicating receiving water toxicity with the full report and information required by item 4 below; and

D. the synthetic dilution water shall have a pH, hardness and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites

i. The permittee shall collect a minimum of three flow-weighted 24-hour composite samples from the outfall(s) listed at item 1.a above. A 24-hour composite sample consists of a minimum of 4 effluent portions collected at equal time intervals representative of a 24-hour operating day and combined proportional to flow or a sample continuously collected proportional to flow over a 24-hour operating day.

ii. The permittee shall collect second and third 24-hour composite samples for use during 24-hour renewals of each dilution concentration for each test. The permittee must collect the 24-hour composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.

iii. The permittee must collect the 24-hour composite samples so that the maximum holding time for any effluent sample shall not exceed 72 hours. The permittee must have

OTHER REQUIREMENTS (cont.)

initiated the toxicity test within 36 hours after the collection of the last portion of the first 24-hour composite sample. Samples shall be chilled to 0-6 degrees Centigrade during collection, shipping and/or storage.

iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in item 4 of this section.

4. REPORTING

a. A valid test must be completed and test results must be submitted for each species during each Monitoring Period. The permittee shall prepare a full report of the results of all tests conducted pursuant to this section in accordance with the Report Preparation Section of EPA-821-R-02-013, or the most current publication, for every valid or invalid toxicity test initiated whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C of this permit. For any test which fails, is considered invalid, or which is terminated early for any reason, the full report must be submitted for agency review. The permittee shall submit the first full report to the following address:

Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

b. The permittee shall submit the results of each valid toxicity test on the DMR for that Monitoring Period in accordance with Part III. D.4 and the DMR Monitoring Period schedule contained in Part II of this permit. Submit retest information clearly marked as such on the DMR for the Monitoring Period in which the retest occurred. Only results of valid tests are to be reported on the DMR. The permittee shall submit the Table 1 Summary Sheet with each valid test.

i. Pimephales promelas (Fathead Minnow)

A. If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP6C.

B. Report the NOEC value for survival, Parameter No. TOP6C.

C. Report the NOEC value for growth, Parameter No. TPP6C.

OTHER REQUIREMENTS (cont.)

D. If the No Observed Effect Concentration (NOEC) for growth is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP6C.

E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP6C.

ii. Ceriodaphnia dubia

A. If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP3B.

B. Report the NOEC value for survival, Parameter No. TOP3B.

C. Report the NOEC value for reproduction, Parameter No. TPP3B.

D. If the No Observed Effect Concentration (NOEC) for reproduction is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP3B.

E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP3B.

iii. The permittee shall report the following results for all VALID toxicity retests on the DMR for that Monitoring Period.

A. Retest #1 (STORET 22415): If the first monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0".

Retest #1 (STORET 22418): If the first monthly retest following failure of a routine test for either test species results in an NOEC for growth or reproduction that is less than the critical dilution, report a "1"; otherwise, report a "0".

B. Retest #2 (STORET 22416): If the second monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0".

Retest #2 (STORET 22419): If the second monthly retest following failure of a routine test for either test species results in an NOEC for growth or reproduction that is less than the critical dilution, report a "1"; otherwise, report a "0".

C. Retest #3 (STORET 51443): If the third monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0".

Retest #3 (STORET 51444): If the third monthly retest following failure of a routine test for either test species results in an NOEC for growth or reproduction that is less than the critical dilution, report a "1"; otherwise, report a "0".

OTHER REQUIREMENTS (cont.)

If, for any reason, a retest cannot be performed during the Monitoring Period in which the triggering routine test failure is experienced, the permittee shall report it on the following Monitoring Period's DMR, and the comments section of the DMRs shall be annotated to that effect. If retesting is not required during a given Monitoring Period, the permittee shall leave these DMR fields blank.

The permittee shall submit the toxicity testing information contained in Table 1 of this permit with the DMR subsequent to each and every toxicity test Monitoring Period. The DMR and the summary table should be sent to the address indicated in 4.a.

5. TOXICITY REDUCTION EVALUATION (TRE)

a. The permittee shall submit a **Toxicity Reduction Evaluation (TRE) Action Plan and Schedule** for conducting a TRE for the following:

i. If lethal effects have been demonstrated: within (90) days of confirming lethality in any retest; or

ii. If only sub-lethal effects have been demonstrated: within (90) days of confirming sub-lethality at 75% effluent dilution or lower in any two out of three retests.

The **TRE Action Plan** shall specify the approach and methodology to be used in performing the TRE. A Toxicity Reduction Evaluation is an investigation intended to determine those actions necessary to achieve compliance with water quality-based effluent requirements and/or chemical-specific limits by reducing an effluent's toxicity (includes sub-lethal toxicity, if applicable) to an acceptable level. A TRE is defined as a step-wise process which combines toxicity testing and analyses of the physical and chemical characteristics of a toxic effluent to identify the constituents causing effluent lethal and/or sub-lethal toxicity and/or treatment methods which will reduce the effluent toxicity. The **TRE Action Plan** shall lead to the successful elimination of effluent lethal and/or sub-lethal toxicity at the critical dilution and include the following:

i. Specific Activities. The plan shall detail the specific approach the permittee intends to utilize in conducting the TRE. The approach may include toxicity characterizations, identifications and confirmation activities, source evaluation, treatability studies, or alternative approaches. When the permittee conducts Toxicity Characterization Procedures the permittee shall perform multiple characterizations and follow the procedures specified in the documents **"Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA-600/6-91/003)** and **"Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I" (EPA-600/6-91/005)**, or alternate procedures. When the permittee conducts Toxicity Identification Evaluations and Confirmations, the permittee shall perform multiple identifications and follow the methods specified in the documents **"Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080)** and **"Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081)**, as appropriate;

OTHER REQUIREMENTS (cont.)

The documents referenced above may be obtained through the National Technical Information Service (NTIS) by phone at 1-800-553-6847, or by writing:

U.S. Department of Commerce
National Technical Information Service
5285 Port Royal Road
Springfield, VA 22161

ii. Sampling Plan (e.g., locations, methods, holding times, chain of custody, preservation, etc.). The effluent sample volume collected for all tests shall be adequate to perform the toxicity test, toxicity characterization, identification and confirmation procedures, and conduct chemical specific analyses when a probable toxicant has been identified;

Where the permittee has identified or suspects specific pollutant(s) and/or source(s) of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical specific analyses for the identified and/or suspected pollutant(s) and/or source(s) of effluent toxicity. Where lethality was demonstrated within 48 hours of test initiation, each 24-hour composite sample shall be analyzed independently. Otherwise the permittee may substitute a composite sample, comprised of equal portions of the individual 24-hour composite samples, for the chemical specific analysis;

iii. Quality Assurance Plan (e.g., QA/QC implementation, corrective actions, etc.); and

iv. Project Organization (e.g., project staff, project manager, consulting services, etc.).

b. The permittee shall initiate the **TRE Action Plan** within thirty (30) days of plan and schedule submittal. The permittee shall assume all risks for failure to achieve the required toxicity reduction.

c. The permittee shall submit a quarterly **TRE Activities Report**, with the Discharge Monitoring Report in the months of January, April, July, and October, containing information on toxicity reduction evaluation activities including:

i. any data and/or substantiating documentation which identify the pollutant(s) and/or source(s) of effluent lethal and/or sub-lethal toxicity;

ii. any studies/evaluations and results on the treatability of the facility's effluent lethal and/or sub-lethal toxicity; and

iii. any data which identify effluent toxicity control mechanisms that will reduce effluent toxicity to achieve compliance with permit biomonitoring requirements and/or chemical-specific limits.

OTHER REQUIREMENTS (cont.)

The **TRE Activities Report** shall be submitted to the following addresses:

Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

U.S. Environmental Protection Agency, Region 6
Water Enforcement Branch
1445 Ross Avenue
Dallas, Texas 75202

d. The permittee shall submit a Final Report on Toxicity Reduction Evaluation Activities no later than twenty-eight (28) months from confirming lethality and/or sub-lethality (if applicable) in the retests, which provides information pertaining to the specific control mechanism selected that will, when implemented, result in the permittee achieving compliance with permit biomonitoring requirements and/or chemical-specific limits. The report will also provide a specific corrective action schedule for implementing the selected control mechanism.

   A copy of the Final Report on Toxicity Reduction Evaluation Activities shall also be submitted to the above addresses.

e. Quarterly testing during the TRE is a minimum monitoring requirement. LDEQ recommends that permittees required to perform a TRE not rely on quarterly testing alone to ensure success in the TRE, and that additional screening tests be performed to capture toxic samples for identification of toxicants. At the end of the TRE, LDEQ will consider all information submitted and establish appropriate controls to prevent future toxic discharges, including WET and/or chemical-specific limits per state regulations at LAC 33:IX.2707.D.1.e.

TABLE 1
SUMMARY SHEET
Ceriodaphnia dubia SURVIVAL AND REPRODUCTION TEST

PERMITTEE:_____
FACILITY SITE:_____LPDES PERMIT NUMBER:_____
OUTFALL IDENTIFICATION:_____
OUTFALL SAMPLE IS FROM _____SINGLE _____MULTIPLE DISCHARGE
BIOMONITORING LABORATORY:_____
DILUTION WATER USED:_____RECEIVING WATER _____LAB WATER
CRITICAL DILUTION _____% DATE TEST INITIATED_____

1. LOW-FLOW LETHALITY:

Is the mean survival at 7 days significantly less (p=0.05) than the control survival at the low-flow or critical dilution? ___Yes___No

PERCENT SURVIVAL - Ceriodaphnia

TIME OF READING	PERCENT EFFLUENT					
	0 %	%	%	%	%	%
24-HOUR						
48-HOUR						
7-DAY						

2. LOW-FLOW SUB-LETHALITY:

Is the mean number of young produced per female at 7 days significantly less (p=0.05) than the control's number of young per female for the low-flow or critical dilution? _____Yes ____No

NUMBER OF YOUNG PRODUCED PER FEMALE @ 7 DAYS - Ceriodaphnia

REPLICATE	PERCENT EFFLUENT					
	0 %	%	%	%	%	%
A B C D E F G H I J						
Mean No. of young						
CV%*						

* Coefficient of variation = Standard Deviation * 100/mean

TABLE 1
SUMMARY SHEET
Pimephales promelas ("fathead minnow") SURVIVAL AND GROWTH TEST

PERMITTEE:_____
FACILITY SITE:_____LPDES PERMIT NUMBER:_____
OUTFALL IDENTIFICATION:_____
OUTFALL SAMPLE IS FROM _____SINGLE _____MULTIPLE DISCHARGE
BIOMONITORING LABORATORY:_____
DILUTION WATER USED:_____RECEIVING WATER _____LAB WATER
CRITICAL DILUTION _____% DATE TEST INITIATED_____

1. LOW-FLOW LETHALITY:

Is the mean survival at 7 days significantly less (p=0.05) than the control survival at the low-flow or critical dilution?_____Yes ___No

PERCENT SURVIVAL - Pimephales

PERCENT EFFLUENT	% SURVIVAL / REPLICATES					MEAN % SURVIVAL			CV%
	A	B	C	D	E	24-HR	48-HR	7 DAY	
0%									
%									
%									
%									
%									
%									

2. LOW-FLOW SUB-LETHALITY:

Is the mean dry weight (growth) at 7 days significantly less (p=0.05) than the control's dry weight (growth) for the low-flow or critical dilution? ___Yes___No